

Notice of Allowability

Application No.

10/667,967

Applicant(s)

JELONEK ET AL.

Examiner

Carlos Ortiz-Rodriguez

Art Unit

2125

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/10/05.
2. ☒ The allowed claim(s) is/are see Reasons for Allowance, attached.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Drawings

1. The drawings filed on 9/23/03 are acceptable subject to correction of the following informalities: The drawing should contain a label indicating which one is Fig 1 and which one is Fig 2 in accordance with the "Brief Description Of The Drawings". In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

Reasons For Allowance

2. Claims 15, 16, 17, 18, 19, 20, 21, 22, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 12, 13, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 44, 45, 46, 43, 47, 48, 49, 50, 51, 52, 53, 54, 56, 57, 58, 60, 61, 62, 59, 63, 65 are allowed. These claims are to be renumbered as 1-57, respectively.

3. The following is a statement of reasons for allowance:

Regarding independent claims 15 and 21 applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest a method to model dental restorations, said method comprising: compiling a database of materials; compiling a database of procedures; determining the geometrical constraints; determining the aesthetic constraints and inputting said geometrical constraints and said aesthetic constraints to a computer to mathematically select from said material database and said procedure database a recipe for producing said dental restoration and wherein the recipe coarseness is constrained by defining the minimal voxel size and/or limiting the number of sublayers.

Regarding independent claim 27 the prior art of record fails to teach the limitations stated above and additionally fails to teach or suggest wherein said dental restoration modeling includes the interaction of a light with said selected material, and wherein said interaction with a light with said selected material is computed for a sampling of wavelengths characteristic of human visual perception.

Regarding independent claim 34 the prior art of record fails to teach or suggest a method for producing an aesthetic prosthesis, said method comprising: acquiring quantitative data on shape and appearance ; processing said quantitative data; manufacturing the underlying structure of said prosthesis; and finalizing said prosthetic work wherein said shape quantitative data and/or aesthetic quantitative data are communicated to a design center node.

Regarding independent claim 56 the prior art of record fails to teach or suggest a method for communicating information related to dentistry comprising: communicating said information to a central source via a computer network for analysis, wherein the information received by said central source is analyzed to determine a recipe for fabricating a dental restoration; wherein said collected information comprises transactional information, scientific information regarding natural teeth, marketing information and combinations thereof.

Conclusion

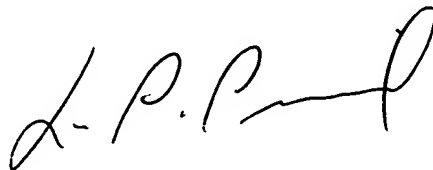
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2125

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Ortiz-Rodriguez whose telephone number is (571) 272-3747. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The central official fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the general information number at 800-786-9199.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Carlos Ortiz-Rodriguez

Patent Examiner

Art Unit 2125

**LEO PICARD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**

cror

November 25, 2005